

**Notice of Allowability**

Application No.

09/725,294

Applicant(s)

KOSHINO, MASASHI

Examiner

Shaima Q. Aminzay

Art Unit

2684

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to October 31, 2005.
2. ☒ The allowed claim(s) is/are 1-19.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

## ***DETAILED ACTION***

### ***Allowable Subject Matter***

1. Claims 1-19 are allowed.

### ***Reasons for Allowance***

2. Applicant filed amendment on October 31, 2005 in response to the Advisory action mailed on October 13, 2005, cancelled claim 20. The independent claims 1-5, 7-11, dependent claims 6, and 12-19 were allowed in previously office action. Canceling the rejected claim 20 puts the application in allowable condition.

The prior art specifically Jokimies (Jokimies et al., US Patent No. 6,526,267) and Kraft (Kraft et al., US Patent 6,463,278) are failed to render obviousness in combination or individually and failed to anticipate individually the following underlined limitations:

“A radio communication terminal, which, during a waiting operation receives broadcast data from a plurality of base stations to determine a current presence position, said terminal comprising: a storing unit for storing broadcast data and reception levels received from a plurality of base stations, as registered data that

defines a registered presence position when said radio communication terminal is located at a preset presence position; and comparing means for comparing, during said waiting operation, a currently-received broadcast data and reception levels with said registered data in said storing unit, said comparing means including a determining means for determining that at least one of a number of said base stations and a reception level from said base stations is changing frequently, thereby detecting whether said radio communication terminal is moving relative to said base stations." as disclosed in independent claim 1.

"A radio communication terminal, which, during a waiting operation receives broadcast data from a plurality of base stations to determine a current presence position, said terminal comprising: a storing unit for storing broadcast data and reception levels received from a plurality of base stations when said radio communication terminal is in a preset presence position as registered data, thereby defining a registered presence position; comparing means for comparing, during said waiting operation, a currently-received broadcast data and reception levels with said registered data in said storing unit, said comparing means including a determining means for determining that at least one of a number of said base stations and a reception level from said base stations is changing frequently, thereby detecting whether said radio communication terminal is moving relative to said base stations; and setting means for setting, when said comparing means detects coincidence between said currently-received

broadcast data and reception levels and said registered data, a preset function corresponding to the pertinent said registered data.” as disclosed in independent claim 2.

“A radio communication terminal system, which, during a waiting operation receives broadcast data from a plurality of base tone level, an out-of-home dealing function ON/OFF, and a call transfer function ON/OFF stations to determine a current presence position, said system comprising: a storing unit for storing broadcast data and reception levels received from a plurality of base stations, as registered data, when said radio communication terminal is located at a preset position to define a registered presence position; comparing means for comparing, during said waiting operation, currently-received broadcast data and reception levels with said registered data in said storing unit, said comparing means including a determining means for determining that at least one of a number of said base stations and a reception level from said base stations is changing frequently; and setting means for setting, when said comparing means detects coincidence between said currently-received broadcast data and reception levels and said registered data, a preset function corresponding to said registered data, wherein said preset function include at least one of a call arrival tone, a call arrival tone level, an out-of-home dealing function ON/OFF, and a call transfer function ON/OFF” as disclosed in independent claim 3.

“A radio communication terminal, which, during a waiting operation receives broadcast data from a plurality of base stations to determine a current presence position, said terminal comprising: a storing unit for storing broadcast data and reception levels received from a plurality of base stations received, as registered data, when said radio communication terminal is located at a preset position to define a registered presence position; comparing means for comparing, during said waiting operation, a currently-received broadcast data and reception levels with said registered data in said storing unit, said comparing means including a determining means for determining that at least one of a number of said base stations and a reception level from said base stations is changing frequently; and setting means for setting, when said comparing means detects coincidence between said currently-received broadcast data and ~reception levels and said registered data, a preset function corresponding to said registered data, and for restoring a preset default setting, when said comparing means does not detect coincidence between said broadcast data and said reception levels” as disclosed in independent claim 4.

“A radio communication terminal, which during a waiting operation, receives broadcast data from a plurality of base stations to determine a current presence position, said terminal comprising a storing unit for storing broadcast data and reception levels received from a plurality of base stations received, as registered data, when said radio communication terminal is located at a preset position, said

registered data defining a registered presence position; comparing means for comparing, during said waiting operation, said broadcast data and said reception levels with said registered data in said storing unit, said comparing means including a determining means for determining that at least one of a number of said base stations and a reception level from said base stations is changing frequently; and setting means for setting, when said comparing means detects coincidence between said broadcast data and said reception levels, and said registered data, a preset function corresponding to said registered data, said preset function including at least one of a call arrival tone, a call arrival tone level, an out-of-home dealing function ON/OFF, and a call transfer function ON/OFF, and when said, comparing means does not detect said coincidence, restoring a preset default setting” as disclosed in independent claim 5.

“An automatic function setting method for a radio communication terminal, which, during a waiting operation' receives broadcast data from a plurality of base stations to determine a current presence position, said method comprising: storing, when said radio communication terminal is located at a preset position, broadcast data and reception levels received from a plurality of base stations received at said preset position, as registered data defining a registered presence position; and comparing, during said waiting operation, said broadcast data and said reception levels with said registered data, which is stored, said comparing including a determining that at least one of a number of said base

stations and a reception level from said base stations is changing frequently, thereby detecting whether said radio communication terminal is moving relative to said base stations" as disclosed in independent claim 7.

"An automatic function setting method for a radio communication terminal, which, during a waiting operation receives broadcast data from a plurality of base stations to determine a current presence position, said method comprising: storing, when said radio communication terminal is located at a preset position, broadcast data and reception levels received from a plurality of base stations received at said preset position, as registered data defining a registered presence position; comparing, during said waiting operation, said broadcast data and said reception levels with said registered data which is stored, said comparing including a determining that at least one of a number of said base stations and a reception level from said base stations is changing frequently, thereby detecting whether said radio communication terminal is moving relative to said base stations; and setting a preset function corresponding to said registered data, when a coincidence between said broadcast data and said reception levels, and said registered data is detected" as disclosed in independent claim 8.

"An automatic function setting method for a radio communication terminal, which, during a waiting operation receives broadcast data from a plurality of base

stations to determine a current presence position, said method comprising:  
storing, when said radio communication terminal is located at a preset position,  
broadcast data and reception levels received from a plurality of base stations  
received at said preset position, as registered data to define a registered  
presence position; comparing, during said waiting operation, said broadcast data  
and said reception levels with said registered data, which is stored, said  
comparing including a determining that at least one of a number of said base  
station and a reception level from said base stations is changing frequently; and  
setting a preset function corresponding to said registered data, when a  
coincidence between said broadcast data and said reception levels, and said  
registered data is detected, said preset function including at least one of a call  
arrival tone, a call arrival tone level, an out-of-home dealing function ON/OFF,  
and a call transfer function ON/OFF” as disclosed in independent claim 9.

“An automatic function setting method for a radio communication terminal,  
which during a waiting operation receives broadcast data from a plurality of base  
stations to determine a current presence position, said method comprising:  
storing, when said radio communication terminal is located at a preset position,  
broadcast data and reception levels received from a plurality of base stations  
being received at said preset position, as registered data defining a registered  
presence position; comparing, during said waiting operation, said broadcast data  
and said reception levels with said registered data, which is stored, said



comparing including a determining that at least one of a number of said base stations and a reception level from said base stations is changing frequently; and setting a preset function corresponding to said registered data, when a coincidence between said broadcast data and said reception levels, and said registered data is detected, wherein said setting includes restoring a preset default setting, when said broadcast data and said reception levels are not coincident with said registered data" as disclosed in independent claim 10.

"An automatic function setting method for a radio communication terminal, which, during a waiting operation receives broadcast data from a plurality of base stations to determine a current presence position, said method comprising: storing, when said radio communication terminal is located at a preset position, broadcast data and reception levels received from a plurality of base stations received at said preset position, as registered data to define a registered presence position; comparing, during said waiting operation, said broadcast data and said reception levels with said registered data which is Stored, said comparing including a determining that at least one of a number of said base stations and a reception level from said base stations is changing frequently; and setting a preset function corresponding to said registered data, when a coincidence between said broadcast data and said reception levels, and said registered data is detected, said preset function including at least one of a call arrival tone, a call arrival tone level, an out-of-home dealing function ON/OFF,

and a call transfer function ON/OFF, wherein said setting includes restoring a preset default setting, when said broadcast data and said reception levels are not coincident with said registered data” as disclosed in independent claim 11.

For these reasons, independent claims 1-5, and 7-11 are allowed. Claims 19, 6, 13-15, 12, 16-17 and 18 are depend on the independent claims 1-5, and 7-11. Claims 6, 13-15, 12, 16-17 and 18 are allowed under the same reasons set forth in claims 1-5, and 7-11.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance”.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shaima Q. Aminzay whose telephone number is 571-276-7874. The examiner can normally be reached on 7:00 AM -5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EDAN ORGAD  
PATENT EXAMINER/TELECOMM.

*Exo. 11/14/05*



Shaima Q. Aminzay  
(Examiner)

November 9, 2005

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Nay A. Maung  
(SPE)

Art Unit 2684